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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,313	06/22/2001	Jean-Christophe Denis Bandini	TUMB-102CIP	7984

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PATENT DEPARTMENT
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EXAMINER	
CALLAHAN, PAUL E	
ART UNIT	**PAPER NUMBER**
2137	

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/887,313	BANDINI ET AL.	
	Examiner	Art Unit	
	Paul Callahan	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 ~~or PTO/SB/08~~) ~~Paper No(s)/Mail Date _____~~. P,C,
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-15 are pending in this application and have been examined.

Claim Rejections - 35 USC § 102

2. (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4, 6, and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Landfield et al., US Patent 5,632,011 May 20, 1997.

As per claims 1 and 7, Landfield teaches an e-mail message transmission system, which cooperates with a remote publicly accessible security server to securely transmit e-mail messages (Abstract), comprising: a security manager, (col. 4 lines 52-56) the security manager encrypting an e-mail message in accordance with encryption data (col. 4 lines 25-30); a lookup module associated with the security manager, the lookup module querying the remote security server for encryption data (col. 4 lines 22-34), the lookup module identifying at least one target server for a e-mail message (col. 4 lines 30-35), the lookup module automatically retrieving encryption data for the identified target server by submitting a corresponding request to the remote server (col. 4 lines 18-22); and a transmission module (col. 5 lines 10-12), the transmission module transmitting the e-mail message to at least one target server for which encryption data was retrieved by the lookup module (col. 4 lines 22-34) .

As per claim 2, Landfield teaches a policy manager, the policy manager enforcing policy to facilitate the identification of encryption data to be employed in encrypting the e-mail message by the security manager (col.4 lines 52-55).

As per claim 4, Landfield teaches an e-mail message transmission system, comprising: a first e-mail firewall, the first e-mail fire-wall associated with a first plurality

of user computers, the first e-mail firewall coupled to a public wide area network by a first network connection (fig. 1); a second e-mail firewall, the second e-mail firewall associated with a second plurality of user computers, the second e-mail firewall coupled to the public wide area network by a second network connection (fig. 1); and a security data lookup server, the security data lookup server storing security data for at least the first e-mail firewall and the second e-mail firewall (fig. 1 items 30, 31, and 25, FIREWALL HOST / ALIAS), the security data lookup server coupled to the public wide area network by a third network connection, whereby the first e-mail firewall transmit a request for security data to the security data lookup server so as to receive security data corresponding to the second e-mail firewall and facilitate a secure public network between the first e-mail firewall and the second e-mail firewall (fig. 1 items 30, 31, and 25)

As per claim 6, Landfield teaches the public wide area network is the Internet (fig. 1 item 12 Public Network).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5 and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landfield in view of S. Kent, Privacy Enhancements for Internet Electronic Mail, Part II: Certificate Based Key Management, Network Working Group Request For Comments 1422, Feb. 1993.

As per claims 5 and 11, Landfield teaches an e-mail message transmission system, comprising: means for receiving an e-mail message (Abstract), the e-mail message including at least one recipient identifier (fig. 2C item 56); Kent teaches the features not found in Landfield of means for identifying a remote certificate; server corresponding to a target e-mail server associated with said at least one recipient identifier (p. 4 paragraphs 1, 2); means for querying said identified remote server for encryption data corresponding to the target e-mail server Kent p. 4 paragraph 3); means for encrypting said e-mail message in accordance with said encryption data from said remote server; and means for transmitting said encrypted e-mail message to said remote server (Kent p. 4 paragraph 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these features of Kent into the system of

Landfield. It would have been desirable to do so as the use of a certificate server would increase the security of the system by allowing verification of user's public keys.

As per claim 8 Landfield teaches the e-mail message transmission method, comprising: receiving an encrypted e-mail message from a remote server; decrypting the e-mail message in accordance with encryption data; but fails to teach extracting signature data from the e-mail message; verifying the extracted signature data by accessing a signature verification server; and processing the e-mail message in accordance with said verifying. Kent teaches these features in page 4 paragraphs 3 and 4. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these features of Kent into the system of Landfield. It would have been desirable to so as this would increase the security of the system by allowing authentication operations.

As per claim 12,Landfield teaches a means for applying a security policy to the e-mail message, the security policy results employed by said means for identifying and said means for querying (col. 4 lines 52-55).

As per claims 9, 10, and 13 Landfield does not teach determining if a signature is required for the received e-mail message by applying a signature policy; retrieving a signing certificate for the message by applying a signature policy; applying the retrieved signing certificate to the message; and forwarding the message; for further processing by the e-mail firewall. Kent however, does teach these features in page 4 paragraphs 1-4. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these features of Kent into the system of Landfield. It would have been desirable to do so as the use of a certificate server would increase the security of the system by allowing verification of user's public keys.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landfield as applied to claim 1 above in view of Dickenson et al. International Application WO 99/05814. Landfield does not teach a policy manager that provides an encryption data preference indicator by referring to at least the semantic content of the e-mail message and stored policy information. Dickenson does teach this (Abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Landfield. It would have been desirable to do so as this would allow for greater flexibility in employment of security policies.

7. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landfield and Kent as applied to claim 13 above, and further in view of Official Notice.

The combination of Landfield and Kent fails to teach determination if a signature is required for the message by applying a first signature policy and retrieving of a signature by reference to a second signature policy. However Official Notice may be

taken that such steps are old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these steps into the method of Landfield and Kent. It would have been desirable to so as this would increase the security of message transmission.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Caldwell, can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is: (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Paul Callahan
2/19/05

Andrew Caldwell

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER